

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
PACIFIC GAS AND ELECTRIC  
COMPANY,  
Defendant.

Case No. 14-cr-00175-TEH-1

**ORDER RE: JUNE 1, 2015 HEARING**

The parties shall come to the June 1, 2015 hearing prepared to address the following questions.

For the Government:

1. What is the status of the disclosure that the Government stated it would provide by the week of May 4, 2015?
2. How do you respond to the Defendant's argument that the standard for willfulness regarding the regulatory violations in this case is "not objectively unreasonable," and therefore other operators' interpretations of the regulations are material to determining what is reasonable?
3. What evidence is there that producing agency materials regarding other operators would impose an undue burden on the Government, given the materials that the Government is already asking the agencies to produce?
4. What was the nature of the requests for evidence that the Government sent to the CPUC? How many such requests were made? How many requests were denied?
5. What does the Government mean when it states that it will provide access to its notes from witness interviews "for a reasonable time"?
6. How did the Government arrive at November 2, 2015, as its preferred date to disclose other acts evidence? How much time is needed to disclose that evidence to the Defendant?

For Defendant:

1. What is the status of the disclosure that the Government stated it would provide by the week of May 4, 2015?

2. How could the request for agency materials regarding other pipeline operators be more narrowly drawn, to reduce the burden on the Government while providing PG&E the evidence it seeks?

3. Why would ordering the Government to disclose its other acts evidence by June 15 not impose an unreasonable burden on the Government?

**IT IS SO ORDERED.**

Dated: 05/28/15



THELTON E. HENDERSON  
United States District Judge